

**BROWN RAYSMAN**

BROWN RAYSMAN MILLSTEIN FELDER &amp; STEINER LLP

**FACSIMILE COVER SHEET**

**From:** James P. Demers, Esq. **Date:** March 21, 2006  
**Direct Dial:** 212-895-2683 **Client/Matter #:** 6319-4016

**PLEASE DELIVER AS SOON AS POSSIBLE TO:**

**ERIN THOMSON PCT LEGAL** **Fax No.** **Phone No.**  
(571) 273-0459 (571)272-3292

Total number of pages including this page: **5**  
If you do not receive all the pages, please call / **212-895-2683**.

**RECEIVED****Message:**

21 MAR 2006

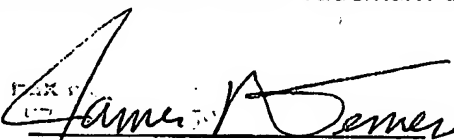
**RE: PCT Application No: PCT/US02/31556**

I hereby certify that the following documents:

Legal Staff  
International Division

1. Petition under 37 CFR 1.137(b)
2. Authorization to charge deposit account (in duplicate)

are being facsimile transmitted to the United States Patent and Trademark Office at the number shown above on March 21, 2006.

  
James P. Demers  
Registration No: 34,320

**Please Note:** the information contained in this facsimile message is privileged and confidential, and is intended only for use of the individual named above and others who have been specifically authorized to receive it. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, or if any problems occur with transmission, please notify sender or the mail room by telephone: (212) 895-2000. Thank You.

**BROWN RAYSMAN MILLSTEIN FELDER & STEINER LLP**

900 THIRD AVE NY NY 10022 T 212-895-2000 F 212-895-2900 brownraysman.com

PTO/SB/64/PCT (10-05)

Approved for use through 03/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT  
DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number  
(Optional)  
6319-4016

First Named Inventor:

HONG

International (PCT) Application No.:

PCT/US02/31556

U.S. Application No.:

(if known)

Filed:

Title:

02 October 2002

SUGAR MODIFIED NUCLEOSIDES AS VIRAL REPLICATION INHIBITORS

Attention: PCT Legal Staff  
Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371(c) were not filed prior to the expiration of the time set in 37 CFR 1.495(b) or (c) as applicable. The date of abandonment is the day after the date on which the 35 U.S.C. 371(c) requirements were due. See 37 CFR 1.495(h).

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Proper reply
- (3) Terminal disclaimer with disclaimer fee which is required for all international applications having an international filing date before June 8, 1995; and
- (4) Statement that the entire delay was unintentional.

## 1. Petition fee

☐ Small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status.  
See 37 CFR 1.27.

☒ Other than small entity - fee \$ 1500.00 (37 CFR 1.17(m))

## 2. Proper reply

A. The proper reply (the missing 35 U.S.C. 371(c) requirement(s)) in the form of  
submission of application (identify type of reply):

☒ has been filed previously on 19 May 2005

☐ is enclosed herewith.

(Page 1 of 2)

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/64/PCT (10-05)

Approved for use through 03/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## 3. Terminal disclaimer with disclaimer fee

- ☒ Since this international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

**WARNING:**

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

James P. Demers  
Signature

March 21, 2006  
Date

James P. Demers

Typed or Printed Name

34,320

Registration Number, if applicable

Brown Raysman Millstein Felder & Steiner LLP

Address

(212) 895-2683

Telephone Number

900 Third Ave., New York, NY 10022

Address

Enclosures: ☐ Response

☒ Fee Payment

☐ Terminal Disclaimer

☐ Other (please identify):

DOCKET # 6319-4016

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : HONG et al.  
Int'l Application No. : PCT/US02/31556  
Filed : October 2, 2002  
Title : Sugar Modified Nucleosides as Viral Replication Inhibitors

VIA FACSIMILE (571) 273-0459  
Attention: Erin Thomson (571) 272-3292  
Mail Stop: PCT  
Commissioner for Patents  
Post Office Box 1450  
Alexandria, VA 22313-1450

Authorization to Charge Deposit Account

Sir:

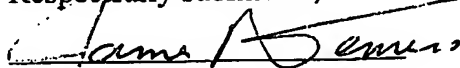
In connection with the enclosed petition under 37 C.F.R. 1.137(b), the Commissioner is hereby authorized to charge the fee under 37 CFR 1.17(m) (\$1500.00 for a large entity), and any other fees which may be required, and to credit any overpayment or refund, to Deposit Account No. 02-4270, with reference to Docket No. 6319-4016.

A duplicate copy of this paper is attached.

Dated:

3/21/06

Respectfully submitted,



James P. Demers

Reg. No. 34,320

Brown Raysman Millstein Felder & Steiner LLP  
900 Third Avenue  
New York, New York 10022-4728

Telephone: (212) 895-2683

Telefax: (212) 895-2900

DOCKET # 6319-4016

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : HONG et al.  
Int'l Application No. : PCT/US02/31556  
Filed : October 2, 2002  
Title : Sugar Modified Nucleosides as Viral Replication Inhibitors

VIA FACSIMILE (571) 273-0459  
Attention: Erin Thomson (571) 272-3292  
Mail Stop: PCT  
Commissioner for Patents  
Post Office Box 1450  
Alexandria, VA 22313-1450

Authorization to Charge Deposit Account

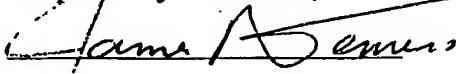
Sir:

In connection with the enclosed petition under 37 C.F.R. 1.137(b), the Commissioner is hereby authorized to charge the fee under 37 CFR 1.17(m) (\$1500.00 for a large entity), and any other fees which may be required, and to credit any overpayment or refund, to Deposit Account No. 02-4270, with reference to Docket No. 6319-4016.

A duplicate copy of this paper is attached.

Dated: 3/21/06

Respectfully submitted,



James P. Demers  
Reg. No. 34,320

Brown Raysman Millstein Felder & Steiner LLP  
900 Third Avenue  
New York, New York 10022-4728

Telephone: (212) 895-2683  
Telefax: (212) 895-2900